

**REMARKS**

The Examiner rejected claims 1, 4-6, 8-11 and 13-16 under 35 U.S.C. §102(b) as allegedly being anticipated by Fitch et al. (US 5,213,989).

The Examiner rejected claim 2 under 35 U.S.C. §103(a) as allegedly being unpatentable over Fitch et al. (US 5,213,989).

The Examiner rejected claim 3 under 35 U.S.C. §103(a) as allegedly being unpatentable over Fitch et al. in view of Johnson (US 5,592,017).

The Examiner rejected claims 7 and 12 under 35 U.S.C. §103(a) as being unpatentable over Fitch et al. and in view of Ozkan et al. (US 6,437,376).

Applicants respectfully traverse the §102 and §103 rejections with the following arguments.

**35 U.S.C. §102(b)**

The Examiner rejected claims 1, 4-6, 8-11 and 13-16 under 35 U.S.C. §102(b) as allegedly being anticipated by Fitch et al. (US 5,213,989).

Applicants respectfully contend that Fitch does not anticipate claims 1 and 10, because Fitch does not teach each and every feature of claims 1, 10, and 22. For example, Fitch does not teach "diffusing dopant from the dopant source layer into the epitaxial layer to form at least a portion of an extrinsic base for the transistor within the epitaxial layer, said portion of the extrinsic base being in direct mechanical contact with the dopant source layer, said portion of the extrinsic base being disposed between the dopant source layer and an intrinsic base for the transistor, said intrinsic base being totally within the epitaxial layer".

Based on the preceding arguments, Applicants respectfully maintain that Fitch does not anticipate claims 1, 10, and 22, and that claims 1, 10, and 22 are in condition for allowance. Since claims 2-9 and 29-31 depend from claim 1, Applicants contend that claims 2-9 and 29-31 are likewise in condition for allowance. Since claims 11-16 and 32-34 depend from claim 10, Applicants contend that claims 11-16 and 32-34 are likewise in condition for allowance. Since claims 23-28 depend from claim 10, Applicants contend that claims 23-28 are likewise in condition for allowance.

35 U.S.C. §103(a)

The Examiner rejected claims 2, 3, 7 and 12 under 35 U.S.C. §103(a). Since claims 2, 3, and 7 depend from claim 1, which Applicants have argued *supra* to be patentable under 35 U.S.C. §102, Applicants maintain that claims 2, 3, and 7 are not unpatentable under 35 U.S.C. §103(a). Since claim 12 depends from claim 10, which Applicants have argued *supra* to be patentable under 35 U.S.C. §102, Applicants maintain that claim 12 is not unpatentable under 35 U.S.C. §103(a).

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

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